

H.A

Notice of Allowability

Application No.

10/606,118

Examiner

Hargobind S. Sawhney

Applicant(s)

EMIL ET AL.

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 1/11/05.
2. ☒ The allowed claim(s) is/are 10,11,17,19 and 21-33.
3. ☒ The drawings filed on 25 June 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>1/11/05</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. The amendment filed on January 11, 2005 has been entered. Accordingly:
 - Claims 1-9, 12-16, 18 and 20 have been cancelled;
 - Claims 10, 17 and 19 have been amended; and
 - New claims 21-33 have been added.

Allowable Subject Matter

2. Claims 10, 11, 17, 19 and 21-33 are allowed.

The prior art of record, including, Luen-Wai Yu (UK Patent No.: 810,256) and Koch et al. (US Patent No.: 6,585,391 B1), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not teach an illuminating device combining:

- a parabolic reflector connected to a printed circuit board, and having the parabolic reflector having its focus coinciding with the tip of an LED mounted on the printed circuit board as recited in claims 10, 23, 27 and 30;
- the LED including a parabolic micro-reflector, and the LED having its light emitting element positioned at the focal point of the convergent portion of a lens as recited in claims 10, 23, 27 and 30;

The above-indicated combination, including the parabolic reflector having its focus point coinciding with the transparent tip of the LED, and the light-emitting element of the LED positioned at the focal point of the convergent portion of a lens, makes this invention unique. The above detailed relative positioning of the reflector, LED and lens would optically support production of a light flux of the claimed characteristic.

Luen-Wai Yu (UK Patent No.: 810,256) in view of Koch et al. (US Patent No.: 6,585,391 B1) discloses an illuminator including a lens with convergent and non-convergent portions, an LED and a parabolic reflector. However, neither combined nor individual teaching of Luen-Wai Yu (UK Patent No.: 810,256) and Koch et al. (US Patent No.: 6,585,391 B1) teaches a combination: (1) an LED with a parabolic micro-reflector; (2) an additional parabolic reflector surrounding the LED; (3) a lens including a convergent and non-convergent portions; and (4) the claimed relative positioning of the LED, reflector and the lens as detailed above.

Thus, neither combined nor individual teaching of Luen-Wai Yu (UK Patent No.: 810,256) and Koch et al. (US Patent No.: 6,585,391 B1) meets the limitations of Claims 10, 23, 27 and 30. Therefore, 10, 23, 27 and 30 are allowed over the prior art.

Claims 11, 17, 19, 21 and 22 are necessarily allowed because of their dependency on the allowed base Claim 10.

Claims 24-26 are necessarily allowed because of their dependency on the allowed base Claim 23.

Claims 28 and 29 are necessarily allowed because of their dependency on the allowed base Claim 27.

Claims 31-33 are necessarily allowed because of their dependency on the allowed base Claim 30.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang (U.S. Patent No. 5,534,718) and Shrimali et al. (U.S. Patent No. 4,920,404)


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
3/23/2005


Stephen Husar
Primary Examiner